

# CITY OF NEWTON, MASSACHUSETTS

## Department of Planning and Development

Telephone (617)-796-1120 TDD/TTY (617) 796-1089 Fax (617) 796-1142

Public Hearing Date: Land Use Action Date:

Board of Aldermen Action Date: 90-Day Expiration Date:

January 12, 2010 March 16, 2010 April 5, 2010 April 12, 2010

DATE:

January 8, 2010

TO:

Board of Aldermen

FROM:

Candace Havens, Acting Director of Planning and Development

Benjamin Solomon-Schwartz, Senior Planner

SUBJECT:

#388-09 MARCUS LAND INVESTMENTS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to create a rear lot subdivision including a change of grade/combination of walls/berms in excess of 4 feet within setbacks in order to construct two single-family dwellings with a shared driveway on GODDARD STREET, Ward 8, on land known as Section 83, Block 3, Lot 30, containing approximately 23,797 sf of land in a district zoned SINGLE RESIDENCE 3. (Ref: Sec 30-24, 30-23, 30-15(r), 30-19(f)(1) and (2) and 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.

CC:

Mayor Setti Warren

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.

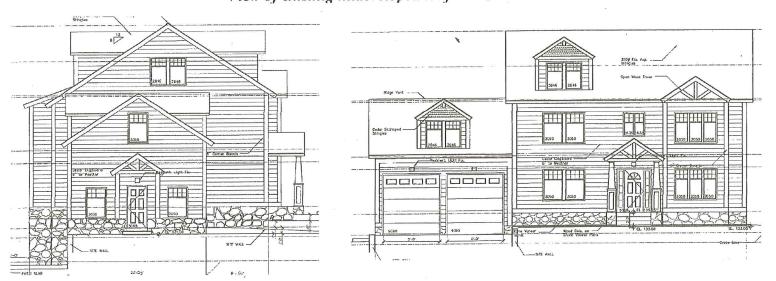


## **EXECUTIVE SUMMARY**

The petitioner seeks to subdivide an undeveloped lot in order to create two lots with one 2½-story single-family home on each lot. The existing slopes within the neighborhood locate the proposed houses significantly below the rear abutters, slightly below one side abutter, and above the other side abutter. Both lots that would result from the proposed subdivision meet all applicable dimensional and parking requirements. The subdivision of land could prevent the potential construction of a very large "by-right" single-family dwelling on the amassed parcel, which would not be desirable or in keeping with the surrounding neighborhood. While the proposed buildings are larger than the neighborhood average, the proposed site plan and building massing would be compatible with the existing neighborhood and streetscape.



View of existing undeveloped lot from Goddard St.



View of proposed front house: Goddard St. elevation (left) and right elevation, facing #37 (right)

### I. SIGNIFICANT ISSUES FOR CONSIDERATION

The petitioner's request for a new rear lot is subject to the criteria set out in Section 30-15(r)(2)c)(ii) in addition to the special permit/site plan approval criteria. Thus, when considering this request, the Board should consider whether the following findings apply:

- ♦ The proposed structure does not exceed the respective average height of abutting residential buildings and structures.
- ♦ The scale of the proposed structure is compatible with adjacent structures and the character of the neighborhood.
- ♦ Topographical changes have been minimized so they do not adversely affect existing or proposed structures on-site or nearby, including structures used for accessory purposes;
- Proposed landscaping offers appropriate screening.
- Vehicular access for vehicles, including for public safety equipment, is adequate.
- ♦ Any historic or conservation benefit is provided or advanced by the proposed development.
- ♦ The location of structures used for accessory purposes or mechanical equipment on the new rear lot or on the abutting lots will not negatively impact either the proposed rear lot development or abutters' property.
- The siting of the structure complements the abutting residential buildings and structures.
- The neighbors will not be adversely affected by proposed lighting.

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

### A. <u>Neighborhood and Zoning</u>

The property is located off Winchester Street several blocks away from the Charles River and the Needham border. It is located within a Single Residence 3 district (SEE ATTACHMENTS "A" AND "B"). The lots in the immediate area are between 5,000 and 32,000 sq. ft., and most of the buildings were built between 1920 and 1960 in a variety of architectural styles. All of the buildings in the neighborhood are single-family detached dwellings. The City of Newton owns several undeveloped parcels at the corner of Goddard Street and Christina Street containing a wetland.

### B. Site

The 23,797 sq. ft. site is currently vacant. The wooded site slopes upwards from right to left. The site is surrounded by single-family houses on all sides.

### III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

The petitioner proposes to subdivide the existing lot into one lot with frontage on Goddard Street and another lot to the rear of it. The petitioner proposes to construct one single-family house on each of the lots. The resulting lot sizes would be in scale with the lots along Goddard Street, as there are many lots with 10,000 square feet. The lots behind the rear lot (along Charlemont St.) are significantly larger because they include steep slopes that form wooded backyards in the rear (SEE ATTACHMENT "C"). The Planning Department believes that development of the lot with the proposed residences is in keeping with the neighborhood and should have no adverse affects on its surroundings.



View from site towards #55 Goddard St.

## Building and Site Design

Both proposed houses have 2½ stories. The proposed residences are both significantly larger than most of the other houses in the neighborhood. The petitioner proposes the front house to be 3,573 square feet and the rear house to be 3,179 square feet, whereas the neighborhood average is 2,069 square feet.

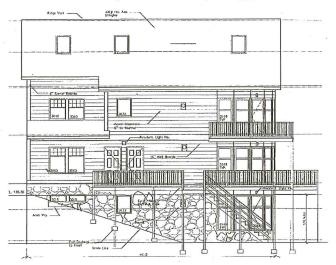
The front house will be visible from the street, while the rear house will only be seen by the abutters, many of whom are located at significant distances from the proposed residence.

The front house would be 29.57 feet in height, and the rear house would be 29.56 feet in height. Because of the topography, the houses behind the proposed development along Charlemont Street are significantly higher than both of the proposed

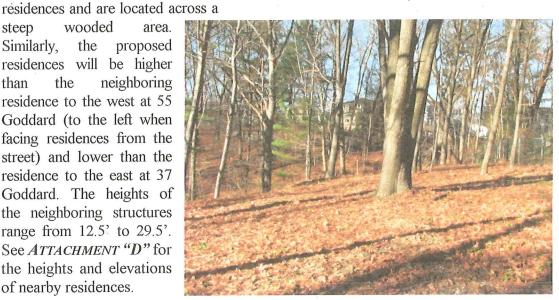
steep wooded area. Similarly, the proposed residences will be higher neighboring than the residence to the west at 55 Goddard (to the left when facing residences from the street) and lower than the residence to the east at 37 Goddard. The heights of the neighboring structures range from 12.5' to 29.5'. See ATTACHMENT "D" for the heights and elevations of nearby residences.



Front elevation of rear house (facing front house)



Rear elevation of rear house



View towards rear abutters

The Planning Department supports housing that faces the street or that has a positive relationship with the public realm. Although the front of the house faces the side of the lot in order to facilitate circulation, the site plan does not present a blank façade to the street because a pedestrian entrance to the garage with decorative detailing faces the street.

Both houses are clad in wood clapboard siding. The front house resembles a contemporary Colonial Revival house with the addition of a bump-out on its front to distinguish it from a more traditional Colonial form. The rear house adds contemporary elements to a traditional style. The house in the rear is less symmetrical than the front residence and includes a contemporary glazing feature in the rear. One of the rear corners of the house is formed by three levels of glass windows and doors that form a curved element. Together with a wrap-around porch on this portion of the building, the extensive glazing connects the house and its residents with the wooded area behind it.

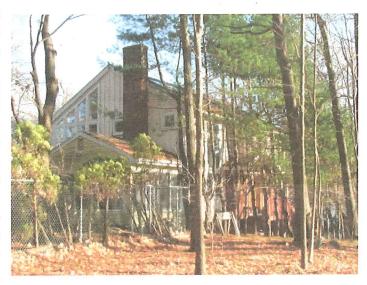
Because of the unusual topography of the site, the Planning Department recommends that the members of the Land Use Committee conduct a site visit to the property prior to the working session.

## B. Parking and Circulation

The plans show a shared driveway for use by two proposed residences. The shared driveway minimizes the amount of impervious surface created through the project. The project provides sufficient parking for the proposed uses and provides suitable access to both houses and parking locations.

## C. Landscape Screening and Lighting

Because the site is wooded, a significant number of trees will be removed in order to construct the two residences. petitioner proposes The 36 trees removing that constitute a total of 565 caliper inches and to replace them with 153 trees with a total of 565 caliper inches. As the property is not exempt from the tree ordinance, the petitioner will require a tree removal permit in order to



View towards #37 Goddard St.

complete this project. The petitioner should obtain a

tree removal permit after the site plan is finalized and prior to obtaining a building permit.

Significant vegetation new and remaining vegetation will minimize the impact of developing two houses on the wooded lot, including a mixture of native trees, ornamental trees, evergreen trees, shrubs and flower beds. Many smaller evergreens screen the proposed residences from each other and from the adjacent residences. Along Goddard Street, the petitioner proposes shrubs and small trees with a variety of colors and sizes, which will enhance the aesthetic appeal of the two houses and will enhance the pedestrian experience along Goddard Street.

The petitioner has not proposed any specific lighting fixtures. The Planning Department recommends than any proposed lighting be residential in scale.

## IV. COMPREHENSIVE PLAN

The 2007 Newton Comprehensive Plan says that "development is to be guided to reflect the character held or sought by existing residential neighborhoods, protecting the qualities of that which exists." The Planning Department analysis shows that the proposed subdivision and addition of two single-family houses is in keeping with the neighborhood without detrimentally impacting the streetscape.

### V. TECHNICAL REVIEW

A. Technical Considerations (Section 30-15). The Zoning Review Memorandum, dated

October 5, 2009 provides an analysis of the proposal with regard to Section 30-15 Tables 1 and 4. A special permit is required for a rear lot subdivision and to construct retaining walls greater than four feet in the front, side and rear setbacks.

B. Parking Requirements (Section 30-19). The Zoning Review Memorandum provides an analysis of the proposal with regard to Section 30-19. A special permit is required for driveway access via an easement over an adjoining property.

## C. Other Reviews

- 1. Engineering. The Associate City Engineer has reviewed plans (SEE ATTACHMENT "F") and noted a number of issues that will need to be addressed prior to building permit to address concerns relating to drainage, water supply and sewerage. The petitioners have addressed these concerns by committing to replace the sidewalk in front of the property, to install granite curbing, to use a crushed stone driveway during construction, to bury all utilities underground from the property line, and to modify the drainage system as requested. The Associate City Engineer is expected to provide a revised memo that will respond to these changes to the plans.
- 2. <u>Fire Department</u>. Assistant Fire Chief Proia has reviewed site plans and has approved the site layout for accessibility and water supply. The petitioner has agreed to Chief Proia's request that the addresses of both houses be clearly identified at the curb to ensure easy visibility for public safety vehicles.

### VI. ZONING RELIEFS SOUGHT

Based on the completed zoning review, dated October 5, 2009 (SEE ATTACHMENT "F"), the petitioner is seeking approval through or relief from:

- > Section 30-15 (r)(2), for approval of a rear lot subdivision
- > Section 30-19(f)(1) and (2), for off-street parking to be located off-site
- > Section 30-23, for approval of proposed site plan and related alterations and development at both lots
- > Section 30-24(d), for approval of special permit to allow a new rear lot and related alterations and development at both lots

## VII. <u>Summary of Petitioner's Responsibilities</u>

Prior to the Working Session, the petitioner should provide cross sections showing the relative heights of buildings adjacent to the proposed houses.

## **ATTACHMENTS**

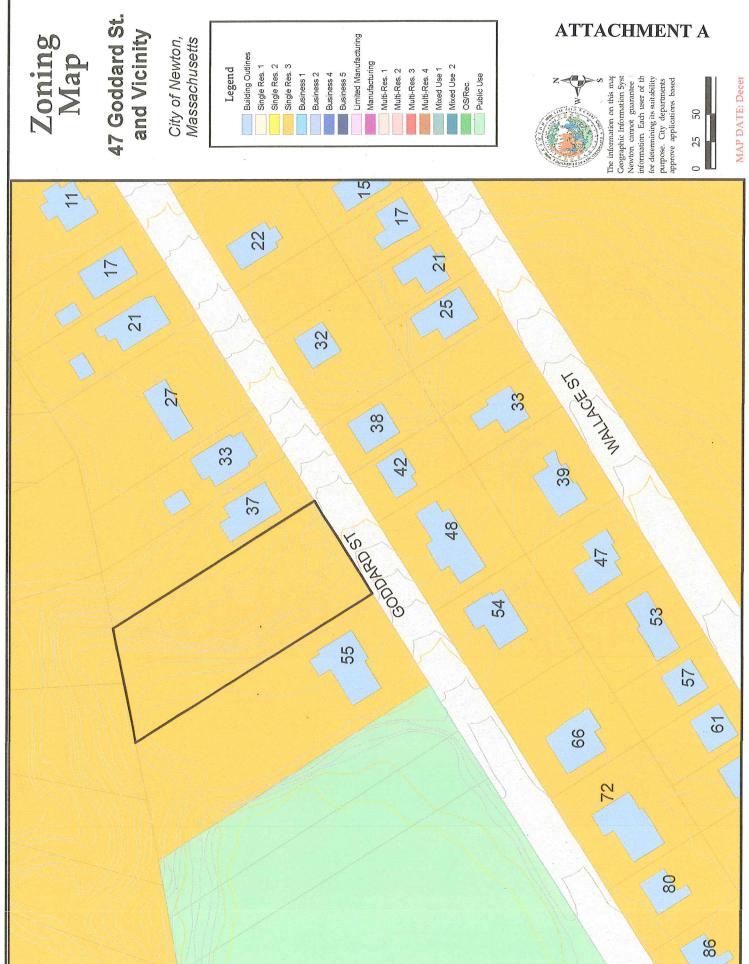
ATTACHMENT A: Zoning Map
ATTACHMENT B: Land Use Map

ATTACHMENT C: Neighborhood Density Analysis

ATTACHMENT D: Heights and Elevations of Nearby Buildings

ATTACHMENT E: Zoning Review Memorandum, dated October 5, 2009

ATTACHMENT F: Associate City Engineer Review, dated December 8, 2009

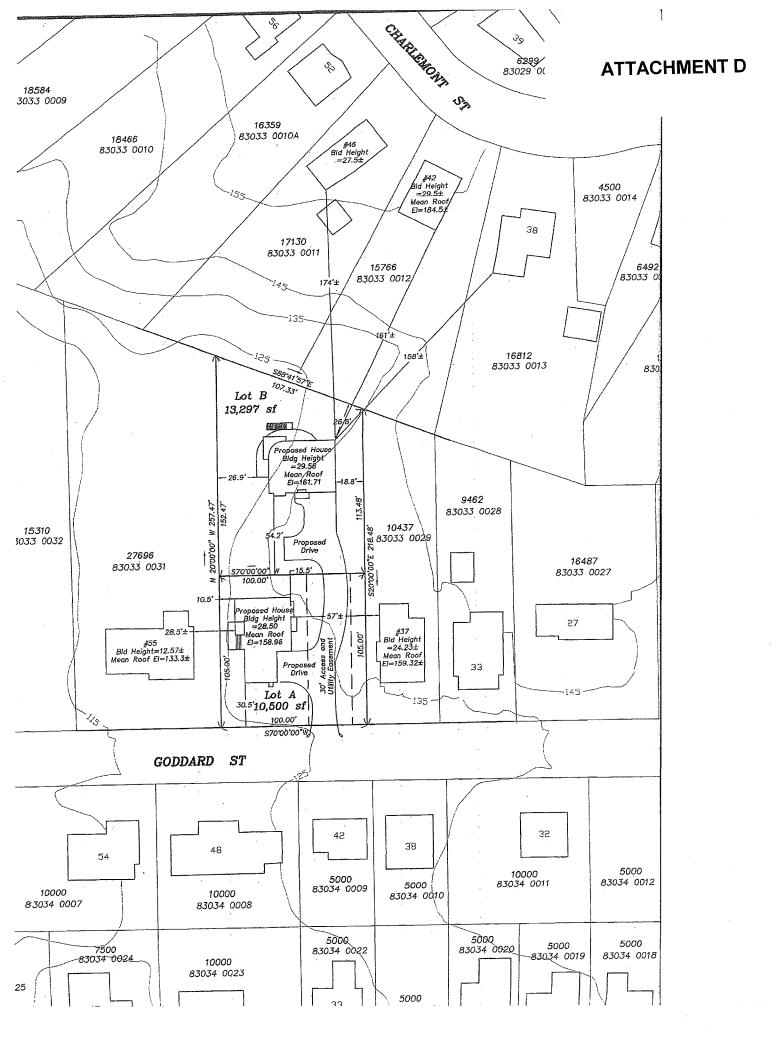


## **ATTACHMENT A**

#### Limited Manufacturing **Building Outlines** Single Res. 1 Manufacturing Single Res. 2 Single Res. 3 Legend Mixed Use 2 Mixed Use 1

Neighorhood Comparison Chart (prepared by Planning Dept.) 47 Goddard Street and Vicinity

FAI   Charlemont St.   9,704   1,618   14   Charlemont St.   8,251   1,356   1,768   22   Charlemont St.   8,254   1,124   28   28   1,768   1,124   28   28   2,108   38   2,201   2,260   2,208	0.167 0.164 0.184 0.083 0.133 0.133	(feet)	Elevation	Built 1954 Ranch	Vind ciding
Charlemont St.         9,704           Charlemont St.         8,251           Charlemont St.         9,598           Charlemont St.         13,546           Charlemont St.         16,812           Charlemont St.         15,766           Charlemont St.         15,766           Charlemont St.         15,766           Charlemont St.         18,466           Charlemont St.         18,466           Charlemont St.         18,000           Goddard St.         8,000           Goddard St.         8,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         5,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         10,000		1		1954 Ranch	Wind Siding
Charlemont St.         8,251           Charlemont St.         9,598           Charlemont St.         13,546           Charlemont St.         6,492           Charlemont St.         15,766           Charlemont St.         15,766           Charlemont St.         15,766           Charlemont St.         16,359           Charlemont St.         18,466           Charlemont St.         18,000           Goddard St.         8,000           Goddard St.         8,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         10,000					VIII) SIUII IG
Charlemont St.         9,598           Charlemont St.         13,546           Charlemont St.         6,492           Charlemont St.         16,812           Charlemont St.         15,766           Charlemont St.         16,359           Charlemont St.         18,466           Charlemont St.         18,584           Charlemont St.         26,135           Charlemont St.         8,000           Goddard St.         8,000           Goddard St.         8,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         10,000           Goddard St.         10,000      <		<b>~</b>		1930 Old Style	Stucco on wood
Charlemont St.         13,546           Charlemont St.         6,492           Charlemont St.         16,812           Charlemont St.         15,766           Charlemont St.         17,130           Charlemont St.         18,466           Charlemont St.         18,466           Charlemont St.         26,135           Charlemont St.         8,000           Goddard St.         8,000           Goddard St.         8,000           Goddard St.         10,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         5,000           Goddard St.         10,000           Goddard St.         10,000 <tr< td=""><td></td><td>2</td><td></td><td>1947 Colonial</td><td>Vinyl siding</td></tr<>		2		1947 Colonial	Vinyl siding
Charlemont St.         6,492           Charlemont St.         16,812           Charlemont St.         15,766           Charlemont St.         16,359           Charlemont St.         18,466           Charlemont St.         18,584           Charlemont St.         26,135           Charlemont St.         26,135           Charlemont St.         8,000           Goddard St.         8,000           Goddard St.         8,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         5,000           Goddard St.         10,000           Goddard St.         5,000           Goddard St.         10,000		<b>-</b>		1955 Cape Cod	Vinyl siding
16,812 15,766 17,130 16,359 18,466 18,584 26,135 32,271 16,000 8,000 8,000 10,000 10,000 10,000 5,000 5,000 10,000 10,000 10,000 10,000 10,000 10,000 7,000 7,000		<b>—</b>		1930 Old Style	Wood shingle
15,766 17,130 16,359 18,466 18,584 26,135 32,271 16,000 8,000 8,000 10,000		2		1921 Old Style	Wood shingle
17,130 16,359 18,466 18,466 16,000 8,000 8,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000	108 0.134		29.5 184.5	1928	Wood shingle
16,359 18,466 18,466 18,584 26,135 32,271 16,000 8,000 8,000 10,000 9,462 10,437 10,000 5,000 10,000 10,000 10,000 7,000 7,000 7,000 7,000	260 0.132		27.5 ~183	3 1925 Old Style	Wood shingle
18,466 18,584 26,135 32,271 16,000 8,000 8,000 10,000 9,462 10,437 10,437 5,000 5,000 10,000 10,000 10,000 7,000 7,000 7,000 7,000	568 0.096	1.75		1955 Cape Cod	
18,584 26,135 32,271 16,000 8,000 8,000 10,000 10,000 5,000 5,000 10,000 10,000 10,000 10,000 7,000 7,000 7,000	218 0.12	1.75		1950 Cape Cod	
26,135 32,271 16,000 8,000 8,000 10,000 10,000 5,000 5,000 10,000 10,000 10,000 10,000 10,000 7,000 7,000 7,000	906 0.103	2		1915 Old Style	Wood shingle
St. 32,271 16,000 8,000 10,000 10,000 10,437 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000	712 0.219	2		2003 Colonial	Vinyl siding
16,000 8,000 8,000 10,000 10,000 9,462 10,437 5,000 10,000 10,000 10,000 10,000 7,000 7,000	264 0.225	2.5		1997 Colonial	Stucco on wood
8,000 8,000 10,000 10,000 9,462 10,437 10,437 5,000 10,000 10,000 10,000 10,000 7,000 7,000	696 0.169	1		1950 Ranch	Stucco on wood
8,000 10,000 16,487 10,000 5,000 10,000 10,000 10,000 7,000 7,000 7,000	674 0.209	1.75		1926 Old Style	Wood shingle
10,000 16,487 10,000 9,462 10,437 5,000 5,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000 10,000	142 0.143	•		1927 Old Style	Aluminum siding
16,487 10,000 9,462 10,437 5,000 5,000 10,000 10,000 10,000 10,000 7,000 7,000	)	2		1924 Old Style	Wood shingle
10,000 9,462 10,437 5,000 5,000 10,000 10,000 10,000 10,000 7,000 7,000	976 0.12	1.75		1950 Cape Cod Clapboard	Clapboard
9,462 10,437 5,000 5,000 10,000 27,696 10,000 10,000 7,000 7,000	832 0.083	<b>T</b>		1949 Ranch	Wood shingle
10,437 5,000 5,000 10,000 27,696 10,000 10,000 7,000 7,000	089 0.115	~		1932 Old Style	Vinyl siding
5,000 5,000 10,000 10,000 10,000 7,000 7,000 7,000	264 0.217	2 24	24.23 159.32		Vinyl siding
5,000 10,000 10,000 27,696 10,000 7,000 7,000 7,000	8830 0.38	1.75		1956 Cape Cod Vinyl siding	Vinyl siding
10,000 10,000 27,696 10,000 7,000 7,000 7,000	,456 0.291	2		1926 Old Style	Vinyl siding
10,000 27,696 10,000 10,000 7,000 7,000 7,000	,284 0.228	1		1960 Ranch	Wood shingle
27,696 10,000 7,000 7,000 7,000 7,000		2		1929 Old Style	Wood shingle
10,000 10,000 7,000 7,000	,844 0.067		12.57 133.33	3 1965 Ranch	Wood shingle
10,000 7,000 7,000 7,000	,120 0.112	-		1930 Old Style	Vinyl siding
7,000 7	,404 0.34	2		1998 Colonial	Clapboard
7,000 1	,152 0.165	1.5		1952 Cape Cod	
12,973	,444 0.206	1.75		1956 Cape Coc	1956 Cape Cod Wood shingle
	069 0.171	1.58		1947	
Proposed front 10,500 3,675	675 0.343	2.5 28	29.57 158.96	9	
12,000	573 0.24			1	



# Zoning Review Memorandum

Dt: October 5, 2009

To: John Lojek, Commissioner of Inspectional Services

Fr: Eve Tapper, Chief Zoning Code Official Candace Havens, Chief Planner

Cc: Michael Kruse, Director, Department of Planning and Development G. Michael Peirce, attorney for Marcus Lang Investments, LLC Ouida Young, Associate City Solicitor

RE: Request to create a rear lot subdivision

## Applicant: Marcus Lang Investments, LLC

Site: Goddard Street SBL: Section 83, Block 33, Lot 30 **Zoning:** SR-3 Lot Area: 23,797 square feet

Current use: vacant land Proposed use: Rear lot subdivision with two

dwelling units

## Background:

The subject property consists of a 23,797 square foot lot currently unimproved. The property owner is proposing to subdivide the property into two lots and build a house on each lot. The following review is based on plans and materials submitted to date as referenced under <u>Plans and Materials Submitted</u> below.

#### Plans and materials submitted:

- "47 Goddard Street, Newton, Massachusetts, Proposed House and Drive Locations," dated September 23, 2009, stamped and signed by Verne T. Porter, Jr., Professional Land Surveyor
- "47 Goddard Street, Newton, Massachusetts, Proposed Grading Plan and Height Calculations," dated September 23, 2009, stamped and signed by Verne T. Porter, Jr., Professional Land Surveyor
- "47 Goddard Street, Newton, Massachusetts, Area Plan," dated September 23, 2009, stamped and signed by Verne T. Porter, Jr., Professional Land Surveyor
- Set of Plans "Owner House #2, Goddard, Newton, MA," all drawn by Ronald F. Jarek, Architect, dated March 10, 2009, neither signed nor stamped by a licensed professional
  - o "A-2.1, Basement Floor Plan"
  - o "A-2.2, First Floor Plan"
  - o "A-2.3, Second Floor Plan"
  - o "A-2.4 Attic Floor Plan"
  - o "A-2.7, Left Side Elevation"
  - o "A-2.8, Rear Elevation"

### Administrative determinations:

1. The subject property is in the SR-3 zoning district. The applicant proposes a rear lot subdivision to create two new lots and intends to construct a single-family dwelling unit on each lot. A rear lot subdivision is allowed in the SR-3 zone with a special permit from the Board of Aldermen under Section 30-15(r).

2. Section 30-15 Tables 1 and 4 lay out the dimensional standards for lots in rear lot subdivisions. Table 4 applies to the proposed rear lot (Lot B) while Table 1 applies to the remainder of the original lot (Lot A). (See chart below.)

SR-3 Zone	Required Lot A	Proposed Lot A	Required Lot B	Proposed Lot B
	(Table 1)		(Table 4)	
Lot size	10,000 sq. ft.	10,500 sq. ft.	12,000 sq. ft.	13,297 sq. ft.
Frontage	80 feet	100 feet	80 feet	100 feet
Setbacks				
<ul><li>Front</li></ul>	30 feet	30.5 feet	30	54.2 feet
• Side	10 feet	10.5 feet	15	18.8 feet
• Rear	15 feet	15.5 feet	23	25.9 feet
Floor Area Ratio	0.35	0.343	0.24	0.24
Building Height	30 feet	29.57 feet	30	29.56 feet
Max. number of	2.5	2.5	2.5	2.5
stories				
Max. lot coverage	30%	17.55%	25%	12.37%
Min. amount of	50%	59.73%	50%	72.02%
open space				
Build Factor (per	20	15.24	20	12.66
§30-15(p))				

- 3. Lot B has no direct frontage along a street. Section 30-15(r)(1) allows frontage for a rear lot to be measured along the rear lot line of the lot in front of it with approval of a special permit from the Board of Aldermen.
- 4. Section 30-19(f)(1) requires that off-street parking facilities shall be provided on the same lot or premises with the principal use served. A driveway is considered to be part of an off-street parking facility. Driveway access from the street to the garage and house on Lot B will be provided by a 30' easement over Lot A. Such an easement is allowed per Section 30-15, Table 4, footnote 1. However, a special permit is required per Section 30-19(f)(2) to provide for an off-street parking facility on a different lot.
- 5. The topography of the site is challenging. In order to construct the houses and the shared driveway, several retaining walls of greater than four feet are required in the front, side and rear setbacks. The applicant must obtain a special permit from the Board of Aldermen per Section 30-5(b)(4) to build these walls.

	Zoning Relief Summary			
Ordinance	Use	Action Required		
§30-15(r)(2)	Create a rear lot subdivision	SP per §30-24		
	Site			
§30-15(r)(1)	Allow frontage to be measured along rear lot line of the front lot	SP per §30-24		
§30-5(b)(4),	Construct greater than four foot retaining walls within the	SP per §30-24		
Ordinance Z-45	setbacks			
Parking				
§30-19(f)(1), §30- 19(f)(2)	Allow off-street parking facility on a separate lot	SP per §30-24		

### CITY OF NEWTON ENGINEERING DIVISION

### **MEMORANDUM**

To: Alderman George Mansfield, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 47 Goddard Street

Date: December 8, 2009

CC: Lou Taverna, PE City Engineer (via email)

Candice Havens, Chief Planner (via email)

Linda Finucane, Associate City Clerk (via email)

Benjamin Solomon Schwartz (via email)

In reference to the above site, I have the following comments for a plan entitled:

47 Goddard Street
Proposed House and Drive Locations
Newton, MA
Prepared by: Verne T. Porter, Jr., PLS
Dated: October 9, 2009

### Access & Site Circulation:

- 1. As a public benefit the entire sidewalk along the frontage (which is currently damaged) shall be replaced with cement concrete installed to the City's Construction Standards.
- 2. The engineer of record should consider installing a guard rail at the end of the hammerhead on Lot B due to the sever drop in grade.

## Electric, Cable TV & Internet:

As this is a subdivision of land the applicant should place all telecommunication and power lines underground.

### **Drainage**:

- 1. The drainage analysis is correct for the City of Newton's 100-year storm event; however, the leaching catch basins are unacceptable due to the possibility that any gas and oil may be directly infiltrated to the surrounding soils and or groundwater. In lieu of the leaching basins, standard catch basins (having 4' sumps and gas trap outlets) shall be installed then connected to a leaching system.
- 2. The proposed trench drain should have a directional grate to ensure proper collection of runoff from the steep driveway.
- 3. An impervious barrier is required at downstream locations of the drywells on lot A; the barrier shall be wrapped around three sides of the system. The barrier shall extend to the bottom of the pit elevation. These system should be a minimum of 10' from any property lines.
- 4. A construction management plan is needed for the development. During construction a stabilized entrance is required, a detail is needed for the plans; any mud that is tracked off site shall be cleaned by the contractor.
- 5. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to drafted and submitted for review. Once approved the O&M must be adopted by applicant, incorporated into the deeds; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.
- 6. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all apparentness including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the Homeowners Association.

### Environmental:

- 1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.
- 2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.

### Water:

1. Due to the elevation differential of the lot the water service for lot B should be 1-1/2" Type K copper rather than 1".

#### Sewer:

- 1. All utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) excavatable Type I-E; detail is available in the city of Newton Construction Standards Detail Book.
- 2. At points where the sanitary sewer crosses water services the sewer service shall be encased with Type B concrete.

### General:

- 1. As of January 1, 2009, all trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property.
- 2. All tree removal shall comply with the City's Tree Ordinance.
- 3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility is question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval.
- 4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction.
- 5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.

- 6. Prior to Occupancy permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading.
- 7. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work.

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.